UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/773,433	02/09/2004	Peter Wiedenberg	Q78997	1231

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EXAMINER
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ART UNIT	PAPER NUMBER
2173	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	10/773,433	WIEDENBERG, PETER
Office Action Summary	Examiner	Art Unit
	Ting Zhou	2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *2/9/2004* is/are: a)☐ accepted or b)☒ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☒ All b)☐ Some * c)☐ None of:

   1.☒ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *8/16/04*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1.   Claims 1-10 are pending in the application.

Drawings

2.   The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the display of data utilizing display types assigned to data types on a dialog box must be shown or the feature(s) canceled from the claim(s). The examiner respectfully notes that Figure 1 appears to simply recite the claim language in a flow diagram format, instead of showing the claimed feature of the display of transmitted data with different display types according to data types. No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the

applicant will be notified and informed of any required corrective action in the next

Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1-3 and 5-10 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Wolber et al. U.S. Patent 5,261,043 (hereinafter "Wolber") and Elsbree WO

99/66651.

Referring to claim 1, Wolber teaches a method comprising assigning the

transmitted data that is to be displayed to certain, stored data types (network

programming data that is transmitted has a data type, which is converted to a stored, i.e.

accepted data type) (Wolber: column 2, lines 27-40 and 63-68); and creating the at least

one dialog box on the operator interface of the computer user station so as to display the

data to be displayed utilizing display types that are respectively assigned to the data types

(the dialog box shown in Figure 3 displays the data being input into the input terminal

according to data types; specifically, the input data shown in Figure 3 is a "Real Number"

data type, therefore, the dialog box shown in Figure 3 utilizes the display type associated

with the "Real Number" data type, i.e. displaying the corresponding labels under "Type",

"Shape", and "Data") (Wolber: column 4, lines 38-67). However, although Wolber

teaches the display of transmitted data, Wolber fails to explicitly teach the transmitted

data is data of an industrial process installation. Elsbree teaches a graphical user

interface that displays transmitted data according to data types (Figure 4 shows the

display of the computed data via display types such as bars, i.e. reference character 72

and pointers, i.e. reference character 78'; Figure 5 further shows the display of the

received process control data from the machine as digital numerical outputs represented

on output 88) (Elsbree: page 2, lines 12-27 and page 9, line 28 – page 11, line 30) similar

to that of Wolber. In addition, Elsbree further teaches the display of process installation

data (a computer and machine equipment are connected to allow them to communicate

process control information) (Elsbree: page 2, lines 12-27). It would have been obvious

to one of ordinary skill in the art, having the teachings of Wolber and Elsbree before him

at the time the invention was made, to modify the method for transmitting data and

displaying data according to display types assigned to data types for the transmitted data

of Wolber to include the transmission and display of data according to data types for

industrial installation process data, as taught by Elsbree. One would have been motivated

make such a combination in order to ease the task of connecting to and controlling a

machine to allow communication between the control computer and machine according

to a standard communication protocol (Elsbree: page 1, line 19 – column 2, line 5 and

column 2, lines 7-14).

Referring to claim 2, Wolber, as modified, teach wherein the data is selected from

the group consisting of process data, status data, control data and regulating data (a

computer and machine are connected to allow them to communicate process control

information between each other) (Elsbree: page 2, lines 12-27); and wherein the display

types are selected from the group consisting of pointers, bars, and numerical displays

(Figure 4 shows the display of the computed data via display types such as bars, i.e.

reference character 72 and pointers, i.e. reference character 78'; Figure 5 further shows

the display of the received process control data from the machine as digital numerical

outputs represented on output 88) (Elsbree: page 2, lines 12-27 and page 9, line 28 – page

11, line 30).

Referring to claim 3, Wolber, as modified, teach wherein the dialog box is

retrieved on the operator interface of the computer user station via a link identifier of a

further dialog box (user selection of links, i.e. selection of buttons on a dialog box leads

to the display of a further, i.e. a new dialog box) (Wolber: column 6, lines 58-64).

Referring to claim 5, Wolber, as modified, teach wherein the further dialog box is

created via a supporting graphics program (the displayed information is achieved via a

graphical program, i.e. iconic programming) (Wolber: column 1, lines 40-44, column 2,

lines 27-31 and further shown in Figures 1 and 4).

Referring to claim 6, Wolber, as modified, teach wherein the transmitted data that

is to be displayed is selected from the transmitted data of the process installation (a

computer and machine are connected to allow them to communicate process control

information via computed values and control signals; information at the actual hardware

device can be transmitted and output to be displayed in certain data types on the

computer) (Elsbree: page 2, lines 12-27 and page 9, line 28 – page 11, line 30).

Referring to claim 7, Wolber, as modified, teach modifying an assignment of the

data types and the display types (information on the Input Terminal Information dialog

box 304 shown in Figure 3 can be modified via user selection and input to change the

selected parameters) (Wolber: column 5, lines 3-47).

Referring to claim 8, Wolber, as modified, teach modifying a number and a type

of the display types (information on the Input Terminal Information dialog box 304

shown in Figure 3 can be modified via user selection and input to change the selected

parameters; displayed parameters include the type and number/data of the signal

attributes) (Wolber: column 5, lines 3-47).

Referring to claim 9, Wolber, as modified, teach modifying a number and a type

of the data types (information on the Input Terminal Information dialog box 304 shown

in Figure 3 can be modified via user selection and input to change the selected

parameters; displayed parameters include the type and number/data of the signal

attributes) (Wolber: column 5, lines 3-47).

Referring to claim 10, Wolber, as modified, teach a method comprising assigning

data to respective data types stored in the computer (network programming data that is

transmitted has a data type, which is converted to a stored, i.e. accepted data type)

(Wolber: column 2, lines 27-40 and 63-68); assigning the data types to respective display

types (the input data shown in Figure 3 is a "Real Number" data type, therefore, the

dialog box shown in Figure 3 utilizes the display type associated with the "Real Number"

data type, i.e. displaying the corresponding labels under "Type", "Shape", and "Data")

(Wolber: column 4, lines 38-67); and automatically generating at least one dialog box on

a graphical user interface of the computer so as to display the data on the graphical user

interface with the data types and the display types (the dialog box shown in Figure 3

displays the data being input into the input terminal according to data types; specifically,

the input data shown in Figure 3 is a "Real Number" data type, therefore, the dialog box

shown in Figure 3 utilize the display type associated with the "Real Number" data type,

i.e. displaying the corresponding labels under "Type", "Shape", and "Data") (Wolber:

column 4, lines 38-67). However, although Wolber teaches the display of transmitted

data, Wolber fails to explicitly teach data transmitted from a technical facility to a

computer. Elsbree teaches a graphical user interface that displays transmitted data

according to data types (Figure 4 shows the display of the computed data via display

types such as bars, i.e. reference character 72 and pointers, i.e. reference character 78';

Figure 5 further shows the display of the received process control data from the machine

as digital numerical outputs represented on output 88) (Elsbree: page 2, lines 12-27 and

page 9, line 28 – page 11, line 30) similar to that of Wolber. In addition, Elsbree further

teaches the display of data transmitted from a technical facility to a computer (a computer

and machine equipment are connected to allow them to communicate process control

information) (Elsbree: page 2, lines 12-27). It would have been obvious to one of

ordinary skill in the art, having the teachings of Wolber and Elsbree before him at the

time the invention was made, to modify the method for transmitting data and displaying

data according to display types assigned to data types for the transmitted data of Wolber

to include the transmission and display of data according to data types for industrial

installation process data, as taught by Elsbree. One would have been motivated make

such a combination in order to ease the task of connecting to and controlling a machine to

allow communication between the control computer and machine according to a standard

communication protocol (Elsbree: page 1, line 19 – column 2, line 5 and column 2, lines

7-14).

4.   Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wolber et

al. U.S. Patent 5,261,043 (hereinafter "Wolber") and Elsbree WO 99/66651, as applied to

claims 1 and 3 above, and further in view of Tadokoro et al. U.S. Publication

2002/0156969 (hereinafter "Tadokoro").

        Referring to claim 4, Wolber and Elsbree teaches all of the limitations as applied

to claims 1 and 3 above. However, Wolber and Elsbree fail to explicitly teach the dialog

box is assigned to a library stored in the computer user station. Tadokoro teaches a

graphical user interface for displaying information similar to that of Wolber and Elsbree.

In addition, Tadokoro further teaches the dialog box is assigned to a library stored in the

computer user station (dialog box 290 is associated with the library system of the

computer) (Tadokoro: page 20, paragraph 0346). It would have been obvious to one of

ordinary skill in the art, having the teachings of Wolber, Elsbree and Tadokoro before

him at the time the invention was made, to modify the dialog box for displaying

transmitted installation data via assigned display types of Wolber and Elsbree to include

the association of the dialog box with a library as taught by Tadokoro. One would have

been motivated to make such a combination in order to provide a centralized place, such

as a type of database system, for fast and easily storing and locating information.

5.   The prior art made of record on form PTO-892 and not relied upon is considered

pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to

consider these references fully when responding to this action. The documents cited

therein teach similar methods of displaying information in dialog boxes.
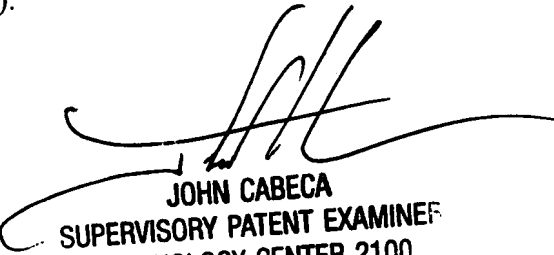
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ting Zhou whose telephone number is (571) 272-4058. The examiner can normally be reached on Monday - Friday 7:00 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached at (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TZ

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